

20

Notice of Allowability	Application No.	Applicant(s)	
	10/782,469	AIGELDINGER, CHARLIE	
	Examiner	Art Unit	
	Kimberly D. Nguyen	2876	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communication filed February 28, 2006.
2. ☒ The allowed claim(s) is/are 1-54.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Amendment/Response

1. Acknowledgement is made of Response filed February 28, 2006.

Allowable Subject Matter

2. Claims 1-54 are allowed.
3. The following is an examiner's statement of reasons for allowance:

Nethery, III (US 6,032,863) teaches bar code having bars (44, 46), wherein the bars have different bar-width and bar-space associated with bars (44, 46) as shown in figures 6-9.

Stevens (US 4,130,243) teaches a machine readable optical printed symbol format for the representation of a plurality of codes, each symbol requiring minimal space, thus permitting a greater packing density. The optical printed symbol format is generally hour-glass shaped and consists of nine elements, each of which is either a bar or a space alternately and each of which can be wide or narrow. Alternate bars and spaces are arranged vertically in a generally hour-glass configuration such that the length of the bars and spaces is greater at the top and bottom of the symbol and decreases to a minimum point at the middle of the symbol.

Fujii et al (US 4,824,266) teaches the thermal printer in which an irregular character pattern such a bar code or an OCR character, which are different in length and width from the standard font patterns are modified into bit patterns having the same size as that of the standard font patterns.

Van Tyne (US 5,073,954) teaches the bar code is located by summing the black pixels in segments of predetermined width for each horizontal scan line, and determining the location of the "L" pattern characteristic of a digitized image of a bar code summed in this manner.

Ett (US 5,298,731) teaches a data processing system, the method combine two alphanumeric data streams into a single bar code representation. Storing a first conversion table converts a first sequence of alphanumeric characters into a corresponding sequence of first bar code characters having character widths modulated in a first direction. A second conversion table converts a second sequence of alphanumeric characters into a corresponding sequence of second bar code characters having character heights modulated in a second direction orthogonal to the first direction. The system outputs a composite bar code sequence to represent both the first and the second sequence of alphanumeric characters.

Applicant's remarks on page 14 (lines 16+) of Response filed February 28, 2006 have overcome the art rejection. The best prior art of record fails to teach or fairly suggest a method for forming a barcode character having the steps of determining a separation width value associated with the first bar and the second bar based on the number of pixels; generating a second separation width value based on the separation width value; and forming the barcode character based on the second separation width value as set forth in the claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly D. Nguyen whose telephone number is 571-272-2402. The examiner can normally be reached on Monday-Friday 7:30-4:30.

Art Unit: 2876

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'KDN', with a stylized, flowing script.

KDN
May 10, 2006